

REMARKS – General

Action Regarding Specification

The Office Action (OA) states that the title as originally filed by the Applicants was not descriptive. Applicants have amended the title per the language found in the preamble of claim 1 and at page 3, line 25 through page 4, line 3 as originally filed. Applicants respectfully request reconsideration of the objection.

Action Regarding Drawings

The OA objects to the drawings. Applicants note that the application was originally filed with informal drawings. Formal drawings are enclosed. Applicants respectfully submit replacement drawing sheets that comply with 37 CFR 1.21(d). Further, Applicants respectfully submit that no new matter has been added by way the formalization of the originally filed informal figures.

Claim Rejections under 35 USC §112:

The OA rejects claim 5 and claims 7-20 under 35 USC §112. Specifically, the OA rejects the use of a “second shutter”. Applicants have amended the claims to note that the means for capturing, where that phrase is used, and the video camera, where that term is used, each include a shutter. Support for the amendment is found in the specification at page 6, lines 15-17. Applicants respectfully request reconsideration of the rejection in light of the amendment.

Claim Rejections under 35 USC §102:

The OA rejects claims 1-3, 5-8, 13, 14, and 16-19 as being anticipated by Cameron et al., US Patent 6,565,448, hereinafter “Cameron”. Applicants respectfully traverse the rejection.

Claim 6 has been canceled. Applicants have amended both claim 1 and claim 7, from which claims 2-3, 5-8, 13-14, and 16-19 depend, to recite both a first shutter and a second shutter, the second shutter being disposed between the image capture apparatus

and the body in motion. Support for the amendment may be found, for example, in FIG. 6. Applicants respectfully submit that Cameron fails to teach a second shutter.

Specifically, Applicants respectfully submit that there is no second shutter between Cameron's camera and the golfer. The OA submits, in the rejection of claim 5, that Cameron teaches a first and second shutter by teaching the use of a first camera and a second camera. However, such a second shutter is not positioned between the image capture device (i.e. one of the cameras) and the golfer. Were this the case, the image capture device would be unable to capture an image due to the fact that the second camera was in the way. Applicants respectfully request reconsideration of the rejection, as well as the rejection to claims 2, 3, 5, 8, 13, 14, and 16-19 which are dependent from claims 1 and 7.

Claim Rejections under 35 USC §103:

The OA rejects claims 4 and 15 under 35 USC §103 as being unpatentable over Cameron. Applicants respectfully submit that, as noted above, Cameron fails to teach a second shutter positioned between the image capture apparatus and the body in motion. As such, Cameron fails to teach all of Applicants' claimed elements. Applicants respectfully request reconsideration of the rejections to these claims.

The OA rejects claim 9 under §103 as being unpatentable over Cameron in view of Bean et al., US Publication 2003/0052989, hereinafter "Bean." As noted above, Cameron fails to teach the second shutter between the image capture device and the subject. Applicants further submit that Bean fails to teach such a system. Applicants respectfully request reconsideration of the rejection.

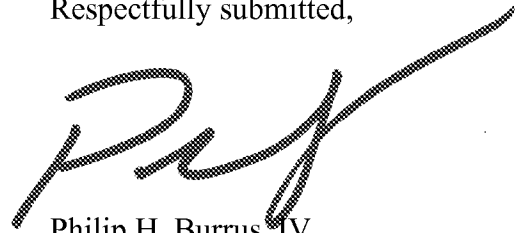
The OA rejects claims 10 and 11 under §103 as being unpatentable over Cameron in view of Manwaring et al., US Patent 6,929,558, hereinafter "Manwaring". Applicants respectfully submit that neither Cameron nor Manwaring teach a second shutter being positioned between the image capture device and the subject. Applicants respectfully request reconsideration of the rejection.

The OA rejects claim 12 under §103 as being unpatentable over Cameron in view of Manwaring, further view of Weber et al., US Patent 5,792,000, hereinafter “Weber”. Applicants respectfully submit that none of Cameron, Manwaring, or Weber teaches a second shutter being positioned between the image capture device and the subject. Applicants respectfully request reconsideration of the rejection.

CONCLUSION

For the above amendments to the claims, Applicants believe the specification, drawings and claims are now in proper form, and that the claims all define patentably over the prior art. Applicants believe this application is now in condition for allowance, for which they respectfully submit. If any matter may be more easily handled by telephone, the undersigned attorney welcomes telephone calls from the Examiner.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Burrus, IV', with a long, sweeping horizontal stroke extending to the right.

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